

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

**MAXINE WELLS,**

**Plaintiff,**

**V.**

**BIONICHE PHARMA USA  
LLC, et al.,**

## Defendants.

**Case No: CV 09-RRR-2317-NE**

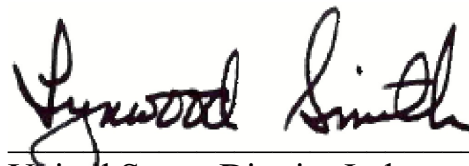
## MEMORANDUM OPINION

The case is now before the court on the plaintiffs' motion to remand. (Doc. 2.)

On January, 4, 2010, the magistrate recommended that the motion to remand be denied. The time for objections to the recommendation has now expired and no objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be, and it hereby is, ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that the defendant has established subject matter jurisdiction in this matter. Accordingly, plaintiff's motion to remand is due to be DENIED. An appropriate order will be entered.

DONE this 17th day of June, 2010.

A handwritten signature in black ink, reading "Lynwood Smith". The signature is written in a cursive style with a large, looping initial "L".

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United States District Judge